

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MORGANNE MILES, by her mother KRYSTAL  
TITUS; OLIVIA MILES, by her mother KRYSTAL  
TITUS; PASCALE MOSSIN, by her mother  
AMY MARGARET MCCUTCIN; THEO CHAN,  
by his father SUNNY CHAN; LEAH CHAN,  
by her father, SUNNY CHAN,

08-CV-0432

Plaintiffs,

v.

MICHAEL O. LEAVITT, Secretary, United States  
Department of Health and Human Services,

Defendant.

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**DECLARATION OF MAIL AND PERSONAL SERVICE**

I, ELISABETH R. BENJAMIN, declare under penalty of perjury pursuant to 28  
U.S.C. § 1746, that the following is true and correct.

I declare that I am an attorney with the Community Service Society of New York,  
105 East 22<sup>nd</sup> Street, New York, NY 10010. On the date given below, I personally served  
the person/entity identified below a true copy of the summons and complaint in this  
action.

DATE OF SERVICE: January 17, 2008

PLACE OF SERVICES: 86 Chambers Street, New York, New York 10007

PERSON/ENTITY TO WHOM SERVED:

Michael Garcia, United States Attorney, Attorney for Defendant Leavitt.

I further declare that on January 17, 2008, I served by Priority Mail Defendant  
Attorney General Michael Mukasey, United States Department of Justice, 950 Pennsylvania  
Avenue, NW, Washington, DC 20530-0001 and Secretary Michael Leavitt, United States

Department of Health and Human Services, 200 Independence Avenue, SW, Washington, DC, 20201.

Dated: New York, NY  
January 23, 2008

Respectfully submitted,

MORGANNE MILES, by her mother KRYSTAL TITUS; OLIVIA MILES, by her mother KRYSTAL TITUS; PASCALE MOSSIN, by her mother AMY MARGARET MCCUTCIN; THEO CHAN, by his father SUNNY CHAN; LEAH CHAN, by her father, SUNNY CHAN,

Through their attorneys,

\_\_\_\_/s/ Elisabeth Ryden Benjamin (EB-0652)\_\_\_\_  
Juan Cartagena, General Counsel (JC-5087)  
Elisabeth Ryden Benjamin (EB-0652)  
Michelle Light\*  
Community Service Society of New York  
105 East 22nd St., 2nd Floor  
New York, NY 10010  
(212) 614-5461

Bryan D. Hetherington (BH-8363)  
Trilby de Jung  
Empire Justice Center  
One West Main Street, Suite 200  
Rochester, NY 14614  
(585) 454-4060

Jane Perkins\*  
National Health Law Program  
211 N. Columbia Street  
Chapel Hill, NC 27154  
(919) 968-6308 (x102)

Gill Deford  
Center for Medicare Advocacy  
PO Box 350  
Willimantic, CT 06226  
(860) 456-2614

\* Not admitted in the Southern District of New York

TO: Michael Garcia  
U.S. Attorney for the Southern District of New York  
Civil Division  
86 Chambers Street  
New York, NY 10007